



IFW

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Tsuyoshi KANEKO et al.

Group Art Unit: 2874

Application No.: 10/761,274

Examiner: D. PETKOVSEK

Filed: January 22, 2004

Docket No.: 118117

For: LIGHT-RECEIVING ELEMENT, MANUFACTURING METHOD FOR THE SAME,
OPTICAL MODULE, AND OPTICAL TRANSMITTING DEVICE

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

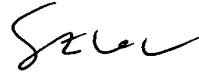
Sir:

In reply to the October 19, 2005 Restriction Requirement, Applicants provisionally elect Group II, (claims 22-27), with traverse.

It is respectfully submitted that the subject matter of all claims is sufficiently related that a thorough search for the subject matter of any one Group of claims would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Restriction Requirement is respectfully requested.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Steven W. Allis
Registration No. 50,532

JAO:SWA/jam

Date: November 18, 2005

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

**DEPOSIT ACCOUNT USE
AUTHORIZATION**

Please grant any extension
necessary for entry;
Charge any fee due to our
Deposit Account No. 15-0461